

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

STEVEN M. LARIMORE
CLERK OF COURT



March 4, 2008

United States District Court
USDC/Northern District of Illinois
219 South Dearborn Street

Chicago Illinois 60604

08 CR 21
JUDGE GRADY
MAGISTRATE JUDGE KEYS

FILED

MAR 13 2008 CM

RE: *USA vs. Gerald E. McDermott*
Case No. 05 cr 60327 Marra

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

Dear Sir:

Pursuant to 18 U.S.C. 3605, the jurisdiction of the probationer/supervised releasee has been transferred to your court. In compliance with the Transfer of Jurisdiction the following items are being forwarded herewith:

- (1) ^{Certified} original form PROB 22 Transfer of Jurisdiction
- (1) certified copy of the Indictment/Information
- (1) certified copy of the J&C
- (1) certified copy of the docket sheet

Please acknowledge receipt of the above on the enclosed copy of this letter and return it the envelope which has been provided.

STEVEN M. LARIMORE
Clerk of Court

by: /s/Tammy Blakely
Tammy Blakely
Deputy Clerk

Encl.

<input checked="" type="checkbox"/> 301 N. Miami Avenue Room 150 Miami, FL 33128 305-523-5100	<input type="checkbox"/> 299 E. Broward Boulevard Room 108 Ft. Lauderdale, FL 33301 954-769-5400	<input type="checkbox"/> 701 Clematis Street Room 402 W. Palm Beach, FL 33401 561-803-3400	<input type="checkbox"/> 301 Simonton Street Room 130 Key West, FL 33040 305-295-8100	<input type="checkbox"/> 300 S. Sixth Street Ft. Pierce, FL 34950 772-595-9691
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Certified to be a true and correct copy of the document on file
 U.S. District Court
 Southern District of Florida
 By: *Danny Blakeslee*
 Deputy Clerk
 Date: *3/11/08*

CORRECTED

TRANSFER OF JURISDICTION

DOCKET NUMBER(Tran.Ct)

113C 0:05CR60327-Marra

DOCKET NUMBER(Rec.Ct)
08 CR 21

NAME AND ADDRESS OF PROBATIONER

Gerald E. McDermott

SUPERVISED RELEASEE

DISTRICT

Southern District of Florida

DIVISION

Probation

NAME OF SENTENCING JUDGE

Kenneth A. Marra

SD/FL PACTS No. 88362

DATES OF PROBATION
SUPERVISED RELEASEFROM
11/5/2007TO
11/4/2010

OFFENSE

Conspiracy to possess with intent to distribute at least 100 kilograms of marijuana on board a vessel, 46 U.S.C. § 1903(a)(j)

PART 1 - ORDER TRANSFERRING JURISDICTION

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF FLORIDA

IT IS HEREBY ORDERED that pursuant to 18 U.S.C. 3605 the jurisdiction of the probationer or supervised releasee named above be transferred with the records of this Court to the United States District Court for the Northern District of Illinois upon the court's order of acceptance of jurisdiction. This Court hereby expressly consents that the period of probation or supervised release may be changed by the District Court to which this transfer is made without further inquiry of this court.*

1/24/08

Date

K

Kenneth A. Marra
United States District Judge

*This sentence may be deleted in the discretion of the transferring Court

PART 2 - ORDER ACCEPTING JURISDICTION

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS

IT IS HEREBY ORDERED that jurisdiction over the above-named probationer/supervised releasee be accepted and assumed by this Court from and after the entry of this order.

A TRUE COPY-ATTEST
 BY: *[Signature]*
 CLERK
 U.S. DISTRICT COURT, NORTHERN DISTRICT OF ILLINOIS
 FEB 22 2008

FEB 11 2008

Effective Date

DATE:

DOCKETED
FEB 21 2008

James F. Hederman
United States District Judge

3

CLOSED

**U.S. District Court
Southern District of Florida (Ft. Lauderdale)
CRIMINAL DOCKET FOR CASE #: 0:05-cr-60327-KAM-2**

Case title: USA v. Lazzaro, et al

Date Filed: 12/20/2005

Assigned to: Judge Kenneth A.
Marra

Defendant

Gerald Edwards McDermott
(2)

TERMINATED: 10/02/2006

represented by **Bruce Harris Fleisher**

3225 Aviation Avenue
Coconut Grove, FL 33133
305-859-7999

Fax: 285-0699

Email:

bfleisher@bellsouth.net

TERMINATED:

10/02/2006

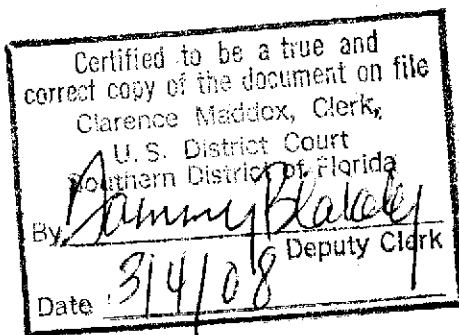
LEAD ATTORNEY

ATTORNEY TO BE

NOTICED

Designation: CJA

Appointment



Pending Counts

21:960B=MD.F MARIJUANA
SELL/DISTRIBUTE/DISPENSE
(1)

Disposition

Imprisonment for a term of
22 months; Supervised
Release for a term of 3
years; With Special
Conditions of Supervision;
Total Assessment of
\$100.00

Highest Offense Level
(Opening)

Felony

Terminated Counts

21:960B=MD.F MARIJUANA
SELL/DISTRIBUTE/DISPENSE
(2)

Disposition

is DISMISSED

Highest Offense Level
(Terminated)

Felony

Complaints

None

Disposition

Plaintiff

USA

represented by **Roger Powell**

United States Attorney's
Office

500 E Broward Boulevard
7th Floor

Fort Lauderdale, FL 33301-
3002

954-356-7255X3592

Fax: 356-7336

Email:

roger.powell@usdoj.gov

LEAD ATTORNEY

ATTORNEY TO BE

NOTICED

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Date Filed	#	Docket Text
12/20/2005	<u>1</u>	INDICTMENT as to Peter Paul Lazzaro (1) count(s) 1-2, Gerald Edwards McDermott (2) count(s) 1-2 (Criminal Category 1) Magistrate Judge Barry S. Seltzer (dp, Deputy Clerk) (Entered: 12/21/2005)
12/20/2005	<u>3</u>	ARREST WARRANT issued as to Gerald Edwards McDermott . Warrant issued by Magistrate Barry S. Seltzer Bail fixed at PTD Requested (dp, Deputy Clerk) (Entered: 12/21/2005)
03/13/2006	<u>4</u>	ORDER OF TRANSFER TO FUGITIVE STATUS as to Peter Paul Lazzaro, Gerald Edwards McDermott (Signed by Judge Kenneth A. Marra on 3/8/06) [EOD Date: 3/14/06] CCAP (gp, Deputy Clerk) (Entered: 03/14/2006)
04/06/2006		ARREST of Gerald Edwards McDermott (gp, Deputy Clerk) (Entered: 04/24/2006)
04/21/2006	<u>7</u>	ARREST WARRANT Returned Executed as to Gerald Edwards McDermott on 4/6/06 (gp, Deputy Clerk) (Entered: 04/24/2006)
05/03/2006	<u>15</u>	Minutes of Initial Appearance held on 05/03/06 before Magistrate Barry S. Seltzer as to Gerald Edwards McDermott; Court Reporter Name or Tape #: FTL/BSS 06-26 1000 1400 (gp, Deputy Clerk) (Entered: 05/04/2006)
05/03/2006		Initial appearance as to Gerald Edwards McDermott held before Magistrate Barry S. Seltzer (Defendant informed of rights.) (gp, Deputy Clerk) (Entered: 05/04/2006)
05/03/2006	<u>16</u>	ORDER on Initial Appearance as to Gerald Edwards McDermott Report re counsel set for 11:00 5/5/06 for Gerald Edwards McDermott ; Arraignment set for 11:00 5/5/06 for Gerald Edwards McDermott ;

		Detention hearing set for 11:00 5/8/06 for Gerald Edwards McDermott ; before Magistrate Judge Lurana S. Snow, , (Signed by Magistrate Barry S. Seltzer on 05/03/06) CCAP (gp, Deputy Clerk) (Entered: 05/04/2006)
05/05/2006	<u>17</u>	Minutes of Inq RE Counse/Arraignment held on 05/05/06 before Magistrate Barry S. Seltzer as to Gerald Edwards McDermott; Court Reporter Name or Tape #: FTL/BSS 06-27 2000 2200 (gp, Deputy Clerk) (Entered: 05/08/2006)
05/05/2006		Inq Report Re Counsel as to Gerald Edwards McDermott held before Magistrate Barry S. Seltzer (gp, Deputy Clerk) (Entered: 05/08/2006)
05/05/2006	<u>22</u>	CJA 20 as to Gerald Edwards McDermott : Appointment of Attorney Bruce Harris Fleisher (Signed by Magistrate Barry S. Seltzer on 5/5/06) (at, Deputy Clerk) (Entered: 05/09/2006)
05/08/2006	<u>18</u>	Minutes of Pretrial Detention/Arraignment held on 05/08/06 before Magistrate Judge Lurana S. Snow as to Gerald Edwards McDermott; Reading of Indictment waived. Not guilty plea entered. Jury Trial demanded. Standing discovery Order requested; Court Reporter Name or Tape #: FTL/LSS 06-015 293 332 (gp, Deputy Clerk) (Entered: 05/09/2006)
05/08/2006		Detention hearing as to Gerald Edwards McDermott held before Magistrate Judge Lurana S. Snow (gp, Deputy Clerk) (Entered: 05/09/2006)
05/08/2006	<u>19</u>	ARRAIGNMENT INFORMATION SHEET for Gerald Edwards McDermott (2) count(s) 1-2 NOT GUILTY PLEA ENTERED as to all counts. Court accepts plea. (gp, Deputy Clerk) (Entered: 05/09/2006)
05/08/2006	<u>20</u>	STANDING DISCOVERY ORDER as to Gerald Edwards McDermott all motions concerning matters

		not covered by this order must be filed within 28 days of this order (Signed by Magistrate Judge Lurana S. Snow on 05/08/06) CCAP (gp, Deputy Clerk) (Entered: 05/09/2006)
05/08/2006	<u>21</u>	ORDER RE: STATUS CONFERENCE, SPEEDY TRIAL, PRETRIAL MATTERS as to Gerald Edwards McDermott (Signed by Magistrate Judge Lurana S. Snow on 05/08/06) [EOD Date: 5/9/06] CCAP (gp, Deputy Clerk) (Entered: 05/09/2006)
05/09/2006	<u>23</u>	ORDER as to Peter Paul Lazzaro, Gerald Edwards McDermott Setting calendar call for 9:00 5/26/06 for Peter Paul Lazzaro, for Gerald Edwards McDermott before Judge Kenneth A. Marra , Setting Jury trial for 5/30/06 for Peter Paul Lazzaro, for Gerald Edwards McDermott before Judge Kenneth A. Marra (Signed by Judge Kenneth A. Marra on 5/9/06) [EOD Date: 5/10/06] CCAP (gp, Deputy Clerk) (Entered: 05/10/2006)
05/15/2006	<u>24</u>	Rule 40 Documents as to Gerald Edwards McDermott received from Northern District of Illinois (at, Deputy Clerk) (Entered: 05/15/2006)
05/16/2006	<u>25</u>	RESPONSE to Standing Discovery Order by USA as to Peter Paul Lazzaro, Gerald Edwards McDermott (gp, Deputy Clerk) (Entered: 05/17/2006)
05/31/2006	<u>27</u>	ORDER as to Peter Paul Lazzaro, Gerald Edwards McDermott RE: [26-1] motion to continue Trial as to Peter Paul Lazzaro (1) Resetting Jury trial for 7/24/06 for Peter Paul Lazzaro, for Gerald Edwards McDermott before Judge Kenneth A. Marra , Resetting Jury trial for 9:00 7/21/06 for Peter Paul Lazzaro, for Gerald Edwards McDermott before Judge Kenneth A. Marra (Signed by Judge Kenneth A. Marra on 05/31/06) [EOD Date: 6/1/06] CCAP (gp, Deputy Clerk) (Entered: 06/01/2006)

07/20/2006	<u>28</u>	Plea Agreement as to Gerald Edwards McDermott (at, Deputy Clerk) (Entered: 07/21/2006)
07/21/2006	<u>29</u>	Minutes of Change of Plea held on 7/21/06 before Judge Kenneth A. Marra as to Gerald Edwards McDermott; GUILTY: Gerald Edwards McDermott (2) count(s) 1 Court Reporter Name or Tape #: Stephen Franklin (at, Deputy Clerk) (Entered: 07/24/2006)
07/21/2006		Change of Plea Hearing as to Gerald Edwards McDermott held before Judge Kenneth A. Marra (at, Deputy Clerk) (Entered: 07/24/2006)
07/21/2006	<u>30</u>	NOTICE OF SENTENCING as to Gerald Edwards McDermott Setting Sentencing for 10:30 a.m. on 9/29/06 for Gerald Edwards McDermott before Judge Kenneth A. Marra (at, Deputy Clerk) (Entered: 07/24/2006)
09/07/2006	<u>34</u>	OBJECTION by Gerald Edwards McDermott to Presentence Investigation Report (at, Deputy Clerk) (Entered: 09/11/2006)
09/21/2006	<u>35</u>	SUPPLEMENTAL OBJECTIONS by Gerald Edwards McDermott to Presentence Investigation Report (gp, Deputy Clerk) (Entered: 09/22/2006)
09/29/2006	<u>36</u>	MOTION by USA as to Gerald Edwards McDermott for sentence reduction pursuant to USSG 5K1.1 (at, Deputy Clerk) (Entered: 09/29/2006)
09/29/2006		Sentencing held before Judge Kenneth A. Marra Gerald Edwards McDermott (2) count(s) 1 (gp, Deputy Clerk) (Entered: 10/03/2006)
10/02/2006	<u>37</u>	JUDGMENT as to Gerald Edwards McDermott (2) count(s) 1. Imprisonment for a term of 22 months; Supervised Release for a term of 3 years; With Special Conditions of Supervision; Total Assessment of \$100.00 , Gerald Edwards McDermott (2) count(s) 2.

		is DISMISSED (Signed by Judge Kenneth A. Marra on 10/02/06) [EOD Date: 10/3/06] CCAP (gp, Deputy Clerk) (Entered: 10/03/2006)
10/02/2006	<u>38</u>	Minutes of Sentencing held on 9/29/06 before Judge Kenneth A. Marra as to Gerald Edwards McDermott; Court Reporter Name or Tape #: Bob Ryckoff (gp, Deputy Clerk) (Entered: 10/03/2006)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

05-60327

CR No. MARRA

MAGISTRATE JUDGE
SELTZER

46 U.S.C. App. § 1903(j)
46 U.S.C. App. § 1903(a)

UNITED STATES OF AMERICA

vs.

PETER PAUL LAZZARO and
GERALD EDWARDS MCDERMOTT,

Defendants.

INDICTMENT

The Grand Jury charges that:

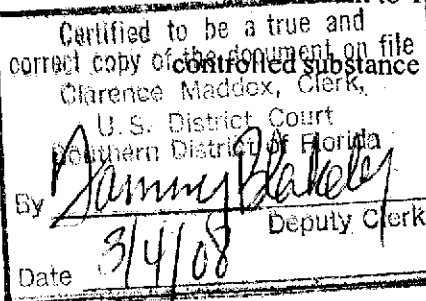
COUNT 1

From on or about November 10, 2005, and continuing through on or about November 28, 2005, while on board a vessel of the United States, with Broward County, in the Southern District of Florida, being the point of entry where the defendants entered the United States, the defendants,

PETER PAUL LAZZARO
and
GERALD EDWARD MCDERMOTT,

citizens of the United States, did knowingly and intentionally combine, conspire, confederate, and agree with each other and with persons unknown to the Grand Jury, to possess with intent to distribute a controlled substance, in violation of Title 46, United States Code Appendix, Sections 1903(a), 1903(j) and 1903(g), and Title 21, United States Code, Section 960.

Pursuant to Title 21, United States Code, Section 960(b)(2)(G), it is further alleged that the



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2005 DEC 20 PM 4:01
CLARENCE MADDOX, CLERK
U.S. DISTRICT COURT
S.D. OF FLA.-FT. L.

PP
/

containing a detectable amount of marijuana.

COUNT 2


From on or about November 10, 2005, and continuing through on or about November 28, 2005, while on board a vessel of the United States, with Broward County, in the Southern District of Florida, being the point of entry where the defendants entered the United States, the defendants,

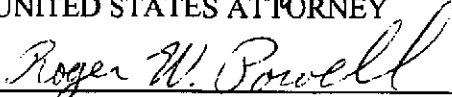
PETER PAUL LAZZARO
and
GERALD EDWARD MCDERMOTT,

citizens of the United States, did knowingly and intentionally possess with intent to distribute a controlled substance, in violation of Title 46, United States Code Appendix, Sections 1903(a) and 1903(g), Title 21, United States Code, Section 960, and Title 18, United States Code, Section 2.

Pursuant to Title 21, United States Code, Section 960(b)(2)(G), it is further alleged that the controlled substance consisted of one hundred (100) kilograms or more of a mixture and substance containing a detectable amount of marijuana.

A TRUE BILL


for R. ALEXANDER ACOSTA
UNITED STATES ATTORNEY


ROGER W. POWELL
ASSISTANT UNITED STATES ATTORNEY

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
PENALTY SHEET**

Defendant's Name: PETER PAUL LAZZARO No.: _____

Magistrate Case No.: _____

Count #: 1

Conspiracy to Possess with Intent to Distribute Marijuana

Title 46, United States Code, Section 1903(j) and Title 21, United States Code, Section 960(2)(G)

*Max. Penalty: Minimum 5 Years' but not more than 40 Years' Imprisonment; a \$2,000,000 fine;
and 4 -5 years supervised release

Count #:2

Possession with Intent to Distribute Marijuana

Title 46, United States Code, Section 1903(a) and Title 21, United States Code, Section 960(2)(G)

*Max. Penalty: Minimum 5 Years' but not more than 40 Years' Imprisonment; a \$2,000,000 fine;
and 4 -5 years supervised release

Count #:

*Max. Penalty:

Count #:

*Max. Penalty:

Count #:

*Max. Penalty:

Count #:

*Max. Penalty:

1 of 1

*Refers only to possible term of incarceration, does not include possible fines, restitution,
special assessments, parole terms, or forfeitures that may be applicable.

REV. 12/12/96

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
PENALTY SHEET**

Defendant's Name: GERALD EDWARD MCDERMOTT No.: _____
Magistrate Case No.: _____

Count #: 1

Conspiracy to Possess with Intent to Distribute Marijuana

Title 46, United States Code, Section 1903(j) and Title 21, United States Code, Section 960(2)(G)

*Max. Penalty: Minimum 5 Years' but not more than 40 Years' Imprisonment; a \$2,000,000 fine;
and 4 -5 years supervised release

Count #:2

Possession with Intent to Distribute Marijuana

Title 46, United States Code, Section 1903(a) and Title 21, United States Code, Section 960(2)(G)

*Max. Penalty: Minimum 5 Years' but not more than 40 Years' Imprisonment; a \$2,000,000 fine;
and 4 -5 years supervised release

Count #:

***Max. Penalty:**

Count #:

***Max. Penalty:**

Count #:

***Max. Penalty:**

Count #:

***Max. Penalty:**

1 of 1

***Refers only to possible term of incarceration, does not include possible fines, restitution,
special assessments, parole terms, or forfeitures that may be applicable.**

REV. 12/12/96

UNITED STATES OF AMERICA

CASE NO. _____

VS.

PETER PAUL LAZZARO and
GERALD EDWARDS McDERMOTT,
Defendants.

CERTIFICATE OF TRIAL ATTORNEY*

Superseding Case Information:

Court Division: (Select One)

☒ Miami ☐ Key West
☒ FTL ☐ WPB ☐ FTPNew Defendant(s) Yes ☐ No ☐
Number of New Defendants _____
Total number of counts _____

I do hereby certify that:

1. I have carefully considered the allegations of the indictment, the number of defendants, the number of probable witnesses and the legal complexities of the Indictment/Information attached hereto.
2. I am aware that the information supplied on this statement will be relied upon by the Judges of this Court in setting their calendars and scheduling criminal trials under the mandate of the Speedy Trial Act, Title 28 U.S.C. Section 3161.

3. Interpreter: (Yes or No) NO
List language and/or dialect _____

4. This case will take 5 days for the parties to try.

5. Please check appropriate category and type of offense listed below:
(Check only one) (Check only one)

I	0 to 5 days	<input checked="" type="checkbox"/>	Petty	_____
II	6 to 10 days	_____	Minor	_____
III	11 to 20 days	_____	Misdem.	_____
IV	21 to 60 days	_____	Felony	<input checked="" type="checkbox"/>
V	61 days and over	_____		

6. Has this case been previously filed in this District Court? (Yes or No) NO

If yes: Judge: _____ Case No. _____

(Attach copy of dispositive order)

Has a complaint been filed in this matter? (Yes or No) NO

If yes:

Magistrate Case No. _____

Related Miscellaneous numbers: _____

Defendant(s) in federal custody as of _____

Defendant(s) in state custody as of _____

Rule 20 from the _____ District of _____

Is this a potential death penalty case? (Yes or No) NO

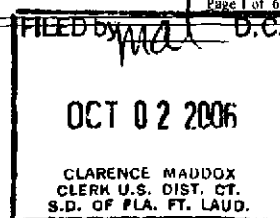
7. Does this case originate from a matter pending in the U.S. Attorney's Office prior to April 1, 2003? ☐ Yes ☒ No
8. Does this case originate from a matter pending in the U. S. Attorney's Office prior to April 1, 1999? ☐ Yes ☒ No
If yes, was it pending in the Central Region? ☐ Yes ☐ No
9. Does this case originate from a matter pending in the Northern Region of the U.S. Attorney's Office prior to October 14, 2003? ☐ Yes ☒ No
10. Does this case originate from a matter pending in the Narcotics Section (Miami) prior to May 18, 2003? ☐ Yes ☒ No


ROGER W. POWELL
ASSISTANT UNITED STATES ATTORNEY
Florida Bar No. 341411

Penalty Sheet(s) attached

REV.1/14/04

United States District Court
Southern District of Florida
 FT. LAUDERDALE DIVISION



UNITED STATES OF AMERICA

JUDGMENT IN A CRIMINAL CASE

v.

Case Number: 05-60327-Cr-Marra

GERALD EDWARDS MCDERMOTT

USM Number: 18576-424

Counsel For Defendant: BRUCE FLEISCHER
 Counsel For The United States: ROGER POWELL
 Court Reporter: Robert Rycott

The defendant pleaded guilty to Count 1 of the Indictment.
 The defendant is adjudicated guilty of the following offense(s):

<u>TITLE/SECTION NUMBER</u>	<u>NATURE OF OFFENSE</u>	<u>OFFENSE ENDED</u>	<u>COUNT</u>
46 U.S.C. § 1903(a)(j) and (g)	Conspiracy to possess with intent to distribute at least 100 kilograms of marijuana on board a vessel	November 28, 2005	1

The defendant is sentenced as provided in the following pages of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

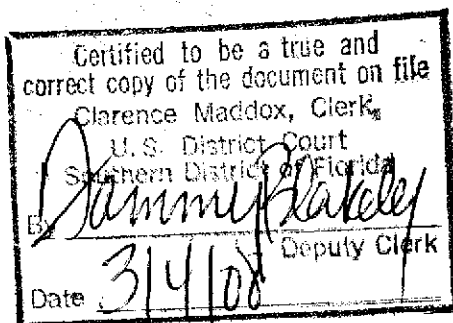
Count two is dismissed on the motion of the United States.

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of any material changes in economic circumstances.

Date of Imposition of Sentence:
 9/29/2006

[Signature]
 KENNETH A. MARRA
 United States District Judge

October 2, 2006



37
 98

DEFENDANT: GERALD EDWARDS MCDERMOTT
CASE NUMBER: 05-60327-Cr-Marra

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of **22 Months**.

The Court makes the following recommendations to the Bureau of Prisons:

That the defendant participate in the 500 hour drug program while incarcerated and that he be housed near either Terre Haute Indiana or Oxford Wisconsin.

The defendant is remanded to the custody of the United States Marshal.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____

at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By: _____
Deputy U.S. Marshal

DEFENDANT: GERALD EDWARDS MCDERMOTT
CASE NUMBER: 05-60327-Cr-Marra

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of **3 years**.

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.

The defendant shall not possess a firearm, destructive device, or any other dangerous weapon.

If this judgment imposes a fine or a restitution obligation, it is a condition of supervised release that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as any additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

1. The defendant shall not leave the judicial district without the permission of the court or probation officer;
2. The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month;
3. The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
4. The defendant shall support his or her dependents and meet other family responsibilities;
5. The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
6. The defendant shall notify the probation officer **at least ten (10) days prior** to any change in residence or employment;
7. The defendant shall refrain from the excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
8. The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
9. The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
10. The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
11. The defendant shall notify the probation officer within **seventy-two (72) hours** of being arrested or questioned by a law enforcement officer;
12. The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
13. As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

DEFENDANT: GERALD EDWARDS MCDERMOTT
CASE NUMBER: 05-60327-Cr-Marra

SPECIAL CONDITIONS OF SUPERVISION

The defendant shall also comply with the following additional conditions of supervised release:

The defendant shall participate in an approved treatment program for drug and/or alcohol abuse and abide by all supplemental conditions of treatment. Participation may include inpatient/outpatient treatment. The defendant will contribute to the costs of services rendered (co-payment) based on ability to pay or availability of third party payment.

The defendant shall maintain full-time, legitimate employment and not be unemployed for a term of more than 30 days unless excused for schooling, training or other acceptable reasons. Further, the defendant shall provide documentation including, but not limited to pay stubs, contractual agreements, W-2 Wage and Earnings Statements, and other documentation requested by the U.S. Probation Officer.

The defendant shall submit to a search of his person or property conducted in a reasonable manner and at a reasonable time by the U.S. Probation Officer.

DEFENDANT: GERALD EDWARDS MCDERMOTT
CASE NUMBER: 05-60327-Cr-Marra

CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the Schedule of Payments.

<u>Total Assessment</u>	<u>Total Fine</u>	<u>Total Restitution</u>
\$100.00	\$	\$

*Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18, United States Code, for offenses committed on or after September 13, 1994, but before April 23, 1996.

DEFENDANT: GERALD EDWARDS MCDERMOTT
CASE NUMBER: 05-60327-Cr-Marra

SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties are due as follows:

A. Lump sum payment of **\$100.00** due immediately.

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

The assessment/fine/restitution is payable to the CLERK, UNITED STATES COURTS and is to be addressed to:

**U.S. CLERK'S OFFICE
ATTN: FINANCIAL SECTION
301 N. MIAMI AVENUE, ROOM 150
MIAMI, FLORIDA 33128**

The assessment/fine/restitution is payable immediately. The U.S. Bureau of Prisons, U.S. Probation Office and the U.S. Attorney's Office are responsible for the enforcement of this order.

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) community restitution, (6) fine interest (7) penalties, and (8) costs, including cost of prosecution and court costs.